



Attorney Docket No. 9244-12

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: **Babu et al.**

Application No.: **10/817,507**

Group Art Unit: **1615**

Filed: **April 2, 2004**

Examiner: **Not Yet Assigned**

For: **FLUOROQUINOLONE FORMULATIONS AND METHODS OF MAKING
AND USING THE SAME**

Date: December 23, 2004

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

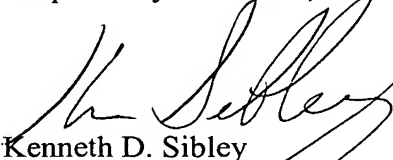
Sir:

In response to the Notice to File Missing Parts of Application-Filing Date Granted (PTO-1533), mailed June 23, 2004 regarding the above-referenced patent application, enclosed is an executed Declaration and Power of Attorney document (6 pages) for this application.

A copy of the Notice and a check in the amount of \$1720.00 for the surcharge under 37 C.F.R. § 1.16(e) (\$130.00) and the fee for a four-month extension (\$1590.00) (see attached Petition) is also enclosed. This amount is believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor.

Respectfully submitted,

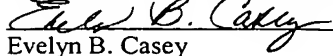

Kenneth D. Sibley
Registration No. 31,665

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number: EV473659713US

Date of Deposit: December 23, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Evelyn B. Casey

Customer No. 20792

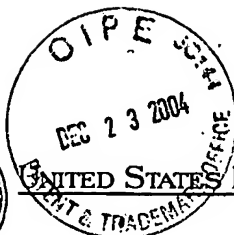
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12-27-04

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/817,507	04/02/2004	M.K. Manoj Babu	9244-12

20792
 MYERS BIGEL SIBLEY & SAJOVEC
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 RALEIGH, NC 27627

CONFIRMATION NO. 3161

FORMALITIES LETTER



OC000000013046114

Date Mailed: 06/23/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

12/29/2004 KBETEMAI 00000001 10817507

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T. D.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE